IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 8TH FEBRUARY 2007 / 19TH MAGHA 1928

Bail Appl..No. 625 of 2007()

(IN CRIME NO.10/07 OF VIZHINJAM POLICE STATION)

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PETITIONER/ACCUSED1:

MADHU, S/O.KUNJUKRISHNA PANICKER,
MAVARATHALA PUTHEN VEEDU, VENNIYOOR,
NELLIVILA P.O. THIRUVANANTHAPURAM.

BY ADV. SRI.SASTHAMANGALAM S. AJITHKUMAR
SRI.RENJITH B.MARAR

RESPONDENTS/ COMPLAINANT:

S.I OF POLICE, VIZHINJAM POLICE STATION,
THIRUVANANTHAPURAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO. 625 OF 2007

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DATED THIS THE 8TH DAY OF FEBRUARY, 2007

O R D E R

Petitioner who is the first accused in Crime No.10/07 of Vizhinjam Police Station for offences punishable under sections 341, 323 and 308 read with section 34 IPC, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application.

3. The case of the prosecution is that at about 9.30 AM on 5.1.2007, the first accused is alleged to have stabbed the de facto complainant after restraining him consequent on his refusal to permit the petitioner to draw an electric line through his property.

4. Even though anticipatory bail cannot granted in a case of this nature, I am inclined to permit the petitioner to surrender before the Investigating Officer for interrogation and then to have his application for regular bail ordered by the Magistrate. Accordingly, the petitioner is directed to surrender before the Investigating Officer on any day between 12.2.2007 and 14.2.2007 for the purpose of custodial interrogation and recovery of incriminating materials, if any. The petitioner shall thereafter be produced before the Magistrate having jurisdiction on the same day who shall release him on bail on appropriate conditions.

These applications are disposed of as above.

V.RAMKUMAR, JUDGE

dsn